

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

RYAN JOSHUA DIAZ

Plaintiff(s)

vs.

WASTE CONNECTIONS US, INC

Defendant(s)

APR 17 2024

CASE NO. 24CV 486 Nathan Ochsner, Clerk of Court

**MOTION FOR EXTENSION OF TIME TO AMEND COMPLAINT AND FOR SERVICE
OF SUMMONS**

Pursuant to Federal Rules of Civil Procedure 6(b) and Local Rules of the Southern District of Texas, Ryan Diaz, Plaintiff pro se, respectfully moves the Court for an extension of time to file an Amended Complaint and to complete service of summons. In support of this motion, Plaintiff states as follows:

I. INTRODUCTION

1. Plaintiff filed the initial Complaint in this action on February 9, 2024.
2. It has been indicated by Defendant's counsel that the correct legal name of the Defendant is "Waste Connections U.S., Inc."
3. Plaintiff is within the original 90-day service period as prescribed by Federal Rule of Civil Procedure 4(m).

II. REASONS FOR EXTENSION

1. **Complex Legal Issues:** Recent developments have revealed complexities concerning an arbitration agreement that affects the case.
2. **Need for Legal Counsel:** These complexities necessitate consultation with legal counsel to ensure compliance with all relevant legal obligations and to adequately amend the Complaint.
3. **Amendment Requirement:** Prompted by the Defendant's counsel, Plaintiff must amend the Complaint to correct the Defendant's name to "Waste Connections U.S., Inc."

III. LEGAL BASIS FOR EXTENSION

1. **Federal Rule of Civil Procedure 15(a)** states that leave to amend "shall be freely given when justice so requires." There is no undue delay, bad faith, or dilatory motive on Plaintiff's part.
2. **Federal Rule of Civil Procedure 6(b)** allows the court to extend time where the need is shown, particularly within the existing deadline period.

IV. PRAYER FOR RELIEF

Plaintiff respectfully requests that the Court grant an additional 30 days to amend the Complaint and complete service, extending the deadline to June 8, 2024. This extension serves the interests of justice by allowing Plaintiff to properly address complex legal issues, consult with counsel, and ensure accurate and effective service on Defendant.

Respectfully submitted on 2024-04-17,


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CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES that a true and correct copy of the foregoing has been furnished by Email or E-Service, U.S. Postal Service on 2024-04-17 to the following:

- David M. Gregory, Locke Lord LLP, Attorney for Waste Connections US, Inc, 600 Travis 2800 JPMORGAN Chase Tower Houston, Texas 77002, dgregory@lockelord.com


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